

### **REMARKS**

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-20 are pending. Claims 1, 7, and 13 are amended. Claims 1, 5, 6, 7, 11, and 13 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

#### **Reasons for Entry of Amendments**

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

#### **Allowable Subject Matter**

The Examiner states that claims 5, 6, 11, 12, 18, and 20 have been allowed, and dependent claims 15 would be allowable if rewritten in independent form.

Applicants thank the Examiner for the early indication of allowable subject matter in this application. However, claim 15 has not been rewritten in independent form at this time, since it

is believed that independent claim 1, as amended herein, from which claim 15 depends is allowable.

**Claim Objections**

The Examiner has objected to claims 7-10 because of several informalities. In order to overcome this objection, the Applicants have amended claim 7 in order to correct the deficiencies pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

**Rejections Under 35 U.S.C. §103(a)**

Claims 1, 3, and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell (U.S. 6,083,106) in view of Yamazaki et al. (U.S. 5,547,382) and McClellion (U.S. 7,156,026);

claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell, in view of Yamazaki et al. and McClellion, and further in view of Simpkins et al. (U.S. 5,431,569);

claims 13, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki et al. in view of McClellion, McDowell and Tosaki et al. (U.S. Patent No. 5,989,123);

claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell, Yamazaki et al., McClellion, and further in view of Uebel (U.S. 4,199,264); and

claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell and Yamazaki et al., and further in view of McClellion and Tosaki et al.

These rejections are respectfully traversed.

**Amendments to Independent Claims 1 and 13**

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, **independent claim 1** has been amended herein to recite a combination of elements directed to a riding simulation system, including

"wherein all portions of the at least two main frames are disposed forwardly with respect to the steering handle mechanism."

In addition, **independent claim 13** has been amended herein to recite a combination of elements directed to a riding simulation system, including

"all portions of the first to third main frames are disposed forwardly with respect to the steering handle mechanism."

The Examiner concedes that **McDowell** fails to disclose a frame body having a cylindrical portion and at least two main frames.

**Yamazaki et al.** were cited to teach two pedals operable as a brake and a gear changer.

On page 4 of the Office Action the Examiner concedes that the combination of **McDowell** and **Yamazaki et al.** fail to disclose "lower portions of two main frames connected via a connection frame a connection shaft" and "the connection shaft is disposed

midway along a connection frame with extends orthogonally with respect to lower portions of the two main frames.”

The Examiner then cites **McClellion** to make up for the deficiency of **McDowell** and **Yamazaki et al.**

However, as can be seen in **McClellion** FIGS. 1 and 2, this document fails to disclose “wherein all portions of the at least two main frames are disposed forwardly with respect to the steering handle mechanism,” as set forth in **independent claim 1**, and “all portions of the first to third main frames are disposed forwardly with respect to the steering handle mechanism,” as set forth in **independent claim 11**.

As can be seen in FIGS. 1 and 2 of **McClellion**, this document merely discloses a U-shaped upper section 14 having curved upper transverse support 30 attached to the controller platform 24, and having left and right downwardly and rearwardly extending legs 18a, 18b which are inserted, respectively, into upwardly extending legs 16a and 16b of the curved base section 12.

First of all, as can be seen in **McClellion** FIG. 1 (side view), the rearwardly extending legs 18a, 18b, and the upwardly extending legs 16a and 16b are disposed rearwardly with respect to the steering handle mechanism 32. This configuration for **McClellion** is necessary so that the **McClellion** controller is able to be “free standing.” By contrast, the presently claimed riding simulation system is not configured to be “free standing,” and instead, is configured to be mounted on some other stable member.

In addition, the Applicants submit that a U-shaped upper section 14 having curved

upper transverse support 30 cannot possibly disclose the presently claimed cylinder portion 44. A cylinder by definition has a “straight linear axis.” While the Examiner may argue that each of the legs 18a, 18b of the U-shaped upper section 14 of **McClellion** is cylindrical in shape, each of the legs 18a, 18b has only a single one of 16a, 16b attached thereto.

The **Tosaki et al.** document was cited merely to disclose a spring mechanism, and the **Ito et al.** document was cited merely to disclose a click mechanism.

At least for the reasons explained above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 11, and 13 is not disclosed or made obvious by the prior art of record, including **McDowell**, **Yamazaki et al.**, and **McClellion**, **Tosaki et al.**, and **Ito et al.**.

Therefore, **independent claims 1 and 13** are in condition for allowance.

**Dependent Claims**

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

All pending claims are now in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

**CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

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Respectfully submitted,

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